

**ZB# 05-22**

**Angela Oddo**

**6-4-2**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
*Granted 5/23/05*

ZBA #05-22 ANGELA ODDO (AREA)  
2 MITCHELL LANE (6-4-2)

**NEW WINDSOR ZONING BOARD OF APPEALS**

**SBL: 6-4-2**

**In the Matter of the Application of**

**MEMORANDUM OF  
DECISION GRANTING**

**ANTHONY ODDO**

**AREA**

**CASE #05-22**

**WHEREAS, Angela Oddo , owner(s) of 2 Mitchell Lane, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for:**

**5 ft. Rear Yard Setback for existing pool deck and;  
17 ft. Side Yard Setback for existing house deck and;  
7 ft. Side Yard Setback and 6 ft. Rear Yard Setback for existing shed;**

**All at 2 Mitchell Lane in an R-4 Zone (6-4-2)**

**WHEREAS, a public hearing was held on May 23, 2005 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and**

**WHEREAS, the Applicant appeared on behalf of this Application; and**

**WHEREAS, there were no spectators appearing at the public hearing; and**

**WHEREAS, no one spoke in favor of or in opposition to the Application; and**

**WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and**

**WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:**

- 1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Times Herald Record, also as required by law.**
- 2. The Evidence presented by the Applicant showed that:**
  - (a) The property is a residential property located in a neighborhood of residential properties.**

- (b) The shed and deck are similar in size and appearance to other sheds and decks in the neighborhood and they do not alter the character of the neighborhood.
- (c) The shed has been in existence for at least twelve years. The applicant did not erect the shed, however, she does not believe that any trees or substantial vegetation were removed during its erection.
- (d) The shed does not create the ponding or collection of water or divert the flow of water drainage.
- (e) There have been no complaints either formal or informal about the shed or either of the decks.
- (f) The pool deck has been in existence for approximately five years and the house deck has been in existence for approximately twelve years.
- (g) Neither of the decks create the ponding or collection of water or divert the flow of water drainage.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law

and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance(s).

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a :

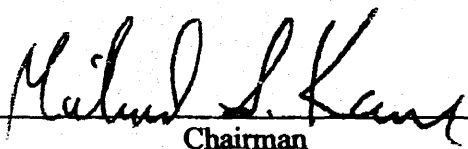
5 ft. Rear Yard Setback for existing pool deck and;  
17 ft. Side Yard Setback for existing house deck and;  
7 ft. Side Yard Setback and 6 ft. Rear Yard Setback for existing shed;

All at 2 Mitchell Lane in an R-4 Zone (6-4-2) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: May 23, 2005

  
Chairman



# **Town of New Windsor**

**555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689**

## **OFFICE OF THE ZONING BOARD OF APPEALS**

August 23, 2005

Angela Oddo  
2 Mitchell Lane  
New Windsor, NY 12553

**SUBJECT: REQUEST FOR VARIANCE #05-22**

Dear Ms. Oddo:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

---

Myra Mason, Secretary to the  
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO  
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

**DATE: April 7, 2005**

**APPLICANT: ODDO, ANTHONY  
2 Mitchell Lane  
New Windsor, New York 12553**

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: April 6, 2005**

**FOR : EXISTING POOL DECK**

**LOCATED AT: 2 Mitchell Lane**

**ZONE: R-4 Sec/Blk/ Lot: 6-4-2**

**DESCRIPTION OF EXISTING SITE: EXISTING ONE FAMILY HOUSE**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

- 1. EXISTING DETACHED POOL DECK DOES NOT MEET MINIMUM 10' REAR YARD  
SET-BACK.**

**COPY**

  
**BUILDING INSPECTOR**

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-4 USE: Bulk Tables 300-11-A-1-B  
MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD: 10' 5' 5'

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

4/11/05 Sent Applic.



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

APR 06 2005

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:

Building Permit # PA 2005-208

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS  
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises ANGELA ODDO

Address 2 MITCHELL LANE NEW WINDSOR NY 12553 Phone # 565-8664

Mailing Address S/A Fax # \_\_\_\_\_

Name of Architect \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_

(Name and title of corporate officer)

1. On what street is property located? On the \_\_\_\_\_ side of Mitchell Lane  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N \_\_\_\_\_

3. Tax Map Description: Section 6 Block 4 Lot 2

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy \_\_\_\_\_

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? no existing pool deck

7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Hight \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \_\_\_\_\_ Fee \$ 50.00

ZONING BOARD OK Jan 4/6

**PAID**  
\$50.00 + \$16.82  
(part of)  
**ZONING BOARD**

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinance

date

\_\_\_\_/\_\_\_\_/\_\_\_\_  
date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors: Frank Liel & Loula Krychev  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4695 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

X *Grover Oado*  
(Signature of Applicant)

2 Mitchell Lane  
(Address of Applicant)

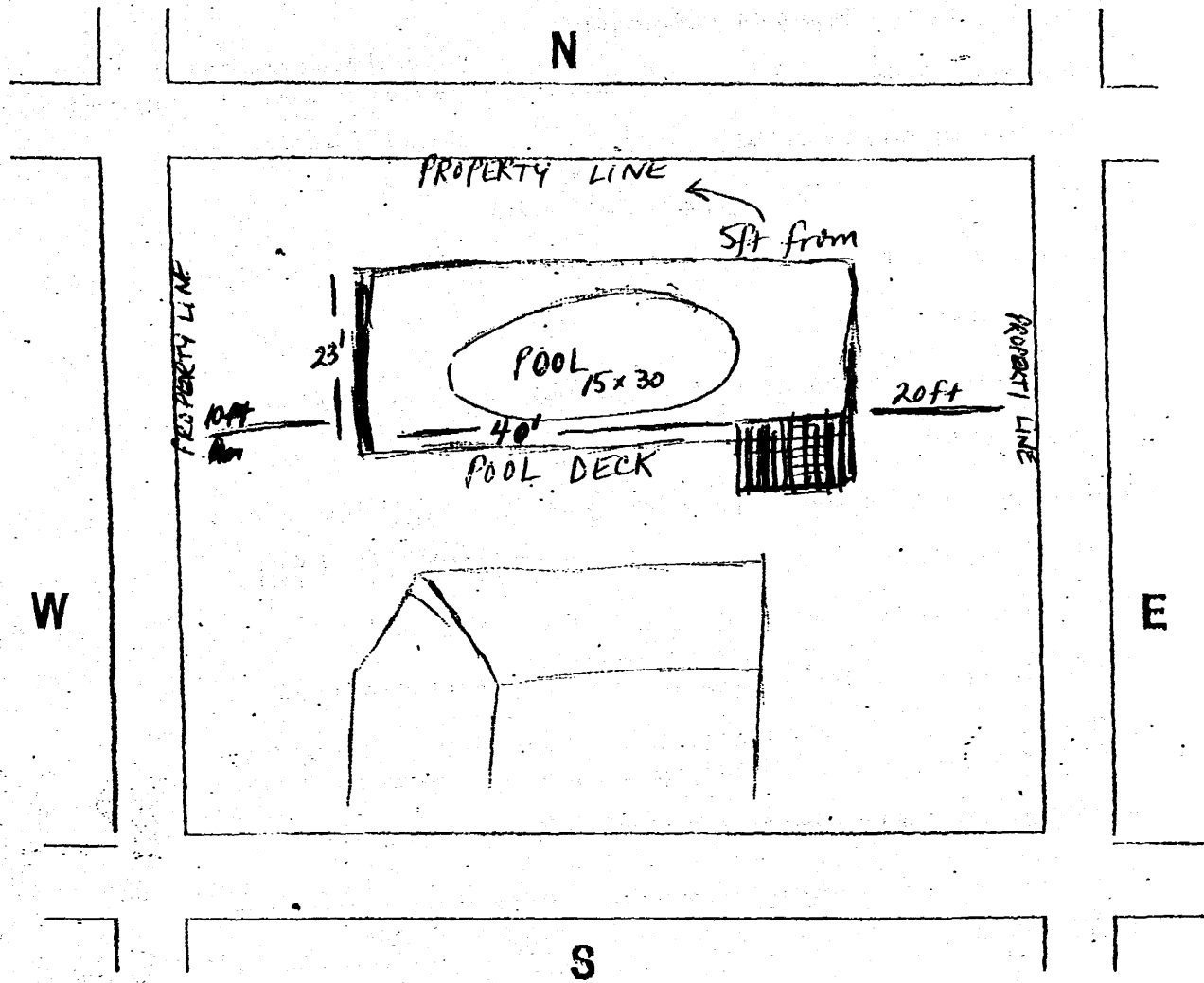
X *Grover Oado*  
(Owner's Signature)

SA  
(Owner's Address)

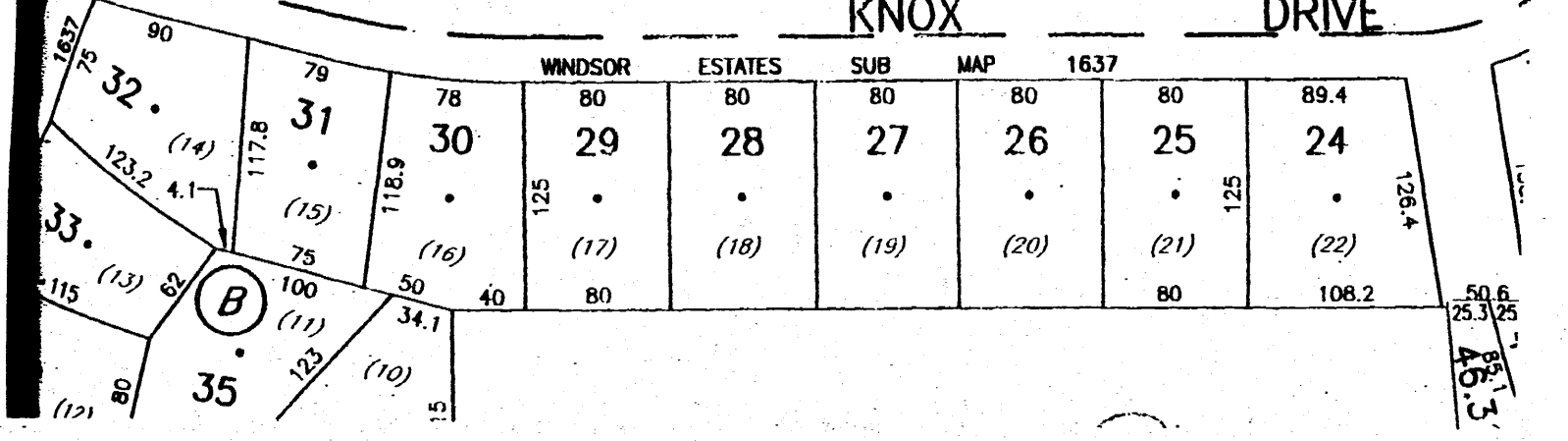
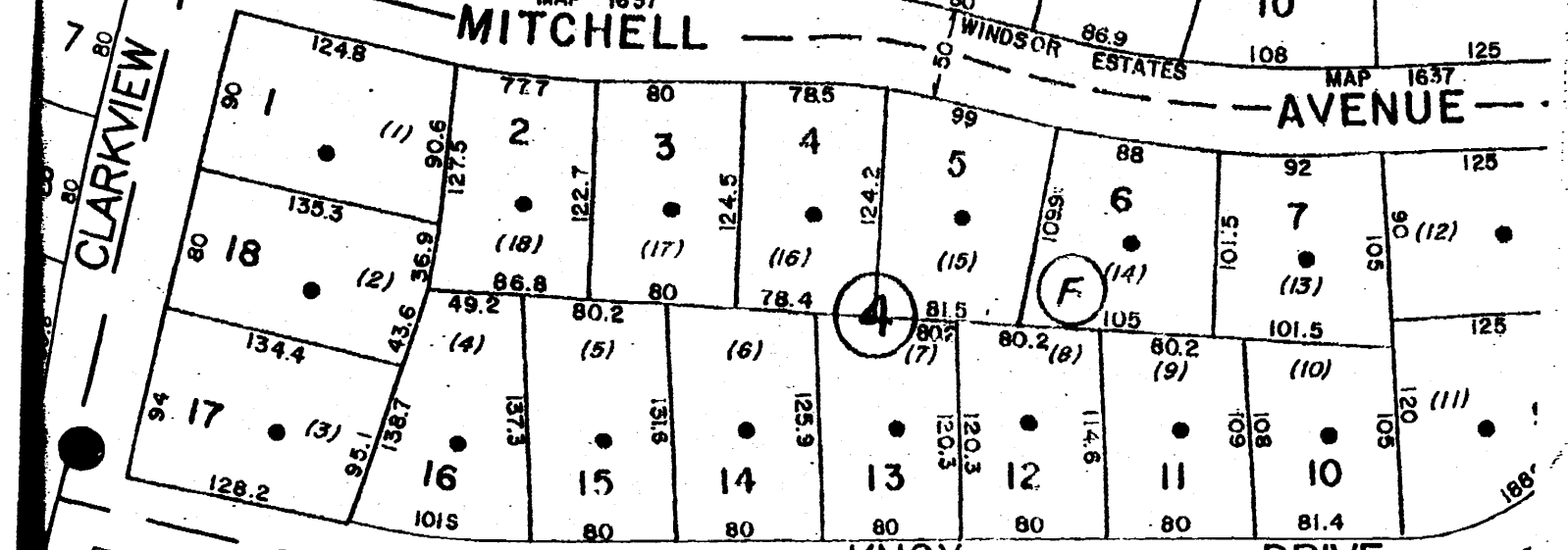
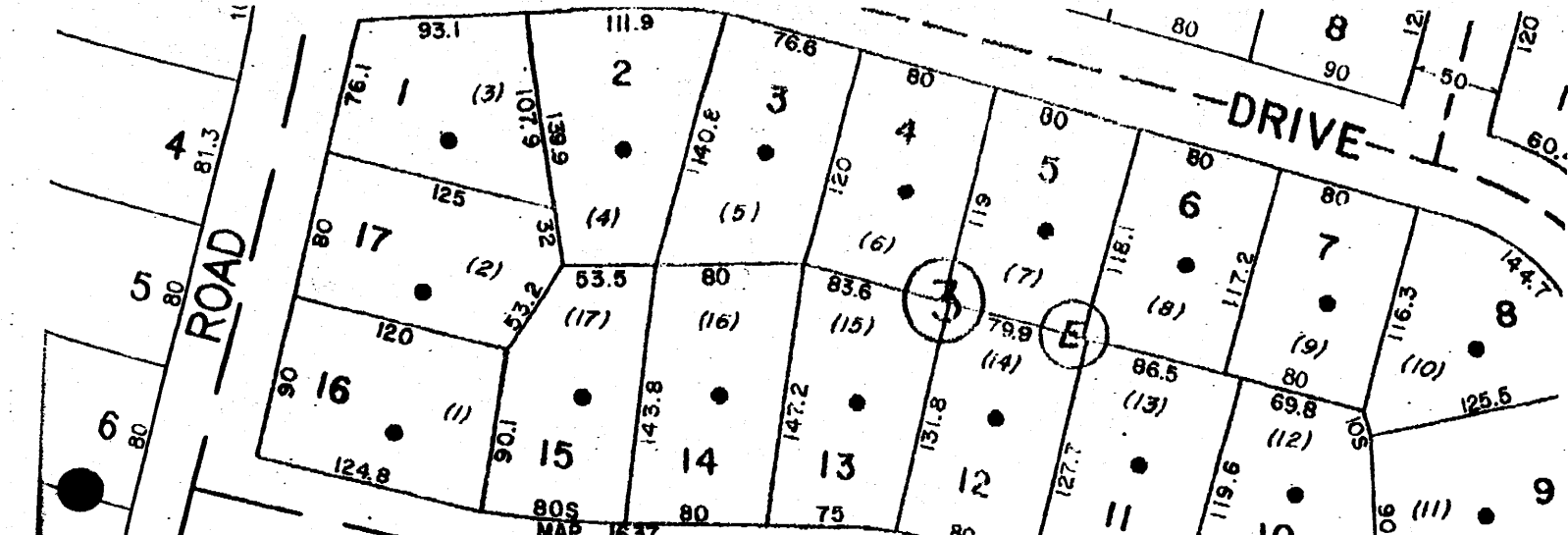
PLOT PLAN

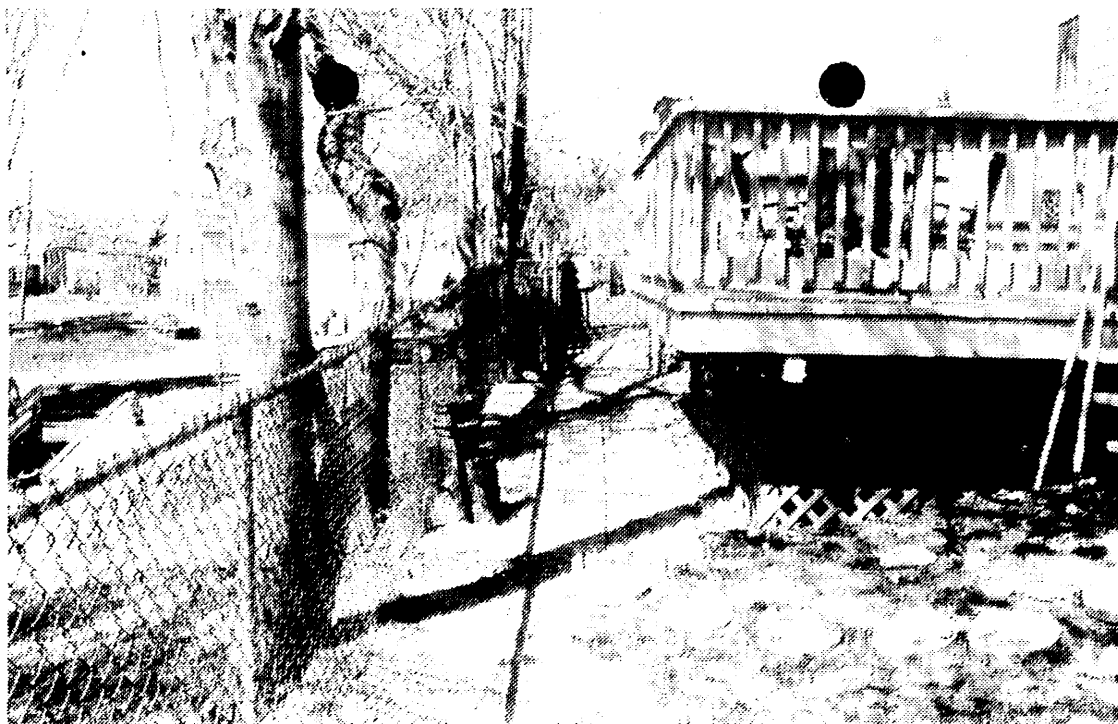
Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

X

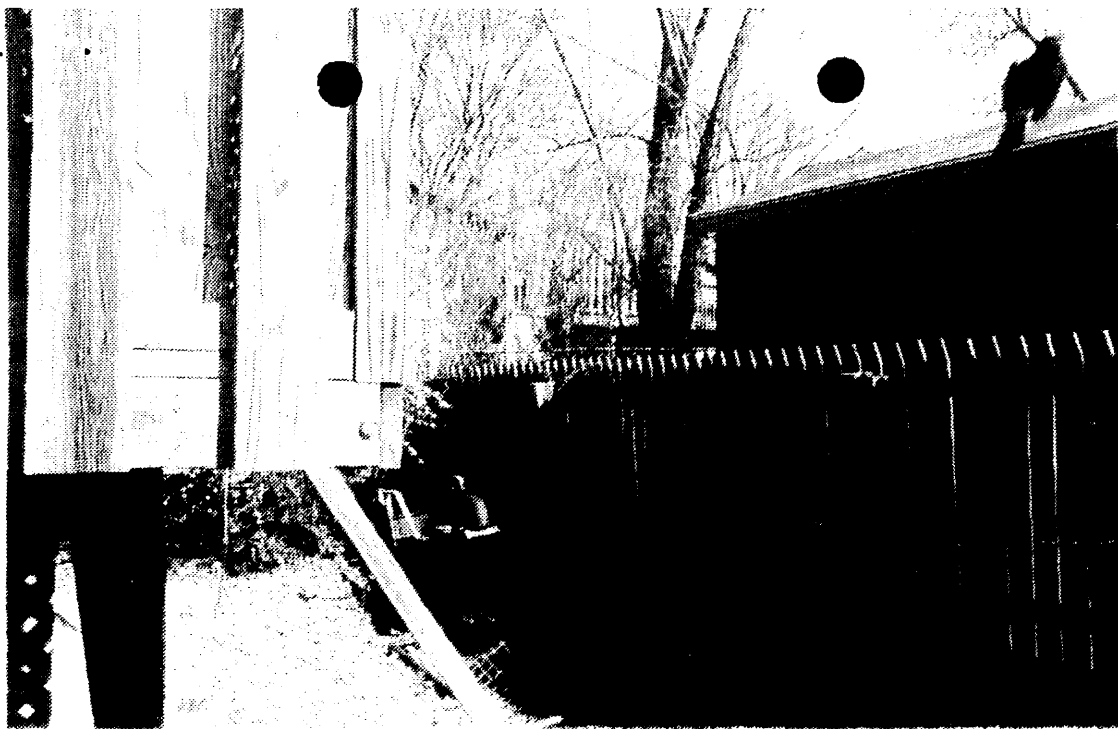


PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
APPROVAL  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION















**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: JULY 18, 2005**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 147.31 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #05-22**

**NAME & ADDRESS:**

**Angela Oddo  
2 Mitchell Lane  
New Windsor, NY 12553**

**THANK YOU,**

**MYRA**

**L.R.7-18-05**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #05-22      TYPE: AREA      TELEPHONE: 565-8664

**APPLICANT:**

Angela Oddo  
2 Mitchell Lane  
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK #1684
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:      RESIDENTIAL \$300.00      CHECK # 1685



<u>DISBURSEMENTS:</u>	<u>MINUTES</u>	<u>ATTORNEY</u>
	<u>\$5.50 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	<u>3</u>	PAGES	<u>\$ 16.50</u>	<u>\$ 35.00</u>
2 <sup>ND</sup> PRELIMINARY:	<u>   </u>	PAGES	<u>\$       </u>	<u>\$       </u>
PUBLIC HEARING:	<u>3</u>	PAGES	<u>\$ 16.50</u>	<u>\$ 35.00</u>
PUBLIC HEARING:	<u>   </u>	PAGES	<u>\$       </u>	<u>\$       </u>

LEGAL AD: Publish Date: 05-09-05      \$ 49.69

<b>TOTAL:</b>	<u>\$ 82.69</u>	<u>\$ 70.00</u>
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ESCROW POSTED:	\$ 300.00
LESS: DISBURSEMENTS:	<u>\$ 152.69</u>

AMOUNT DUE:      \$ \_\_\_\_\_

REFUND DUE:      \$ 147.31

Cc:

L.R. 7-18-05

May 23, 2005

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ANGELA ODDO (05-22)

Ms. Angela Oddo appeared before the board for this proposal.

MR. KANE: Request for 5 ft. rear yard setback for existing pool deck and 17 ft. side yard setback for existing house deck and 7 ft. side yard setback and 6 ft. rear yard setback for existing shed all at 2 Mitchell Lane. Tell us what you want do.

MS. ODDO: Just requesting variances on the two decks and the shed.

MR. KANE: How long has the, let's do the shed first, how long has the shed been up?

MS. ODDO: Shed was existing, I bought the house 12 years ago.

MR. KANE: It was existing?

MS. ODDO: Yes.

MR. KANE: To your knowledge, any cutting down of substantial shrubbery, vegetation, create any water hazards or runoffs?

MS. ODDO: No.

MR. KANE: Any complaints formally or informally about the shed?

MS. ODDO: No.

MR. KANE: Shed similar in size and nature to other sheds that are in your neighborhood?

MS. ODDO: Yes.

MR. KANE: And obviously it would create a financial hardship to move the shed?

MS. ODDO: Yes.

MR. KANE: Rear yard setback for existing pool deck, okay, pool deck, how long has that been up?

MS. ODDO: Five years.

May 23, 2005

23

MR. KANE: Do you understand that if the zoning is approved that you still have to meet all of the building department's requirements on that deck?

MS. ODDO: Yes.

MR. KANE: Self-closing, self-latching gates?

MS. ODDO: Right.

MR. KANE: Any complaints about the pool deck whatsoever formally or informally?

MS. ODDO: No.

MR. KANE: Are you on town water and sewer?

MS. ODDO: Yes.

MR. KANE: Any other questions?

MS. GANN: No.

MS. LOCEY: No.

MR. REIS: No.

MR. KANE: I will have to ask if there's anybody in the audience for this particular hearing? Nobody. Myra, how many mailings did we have?

MS. MASON: On May 9, I mailed out 73 envelopes and had no response.

MR. KANE: Seven-foot side yard setback and existing shed and a 17-foot side yard setback for the existing house deck, house deck, how long has that been up?

MS. ODDO: Since I bought the house.

MR. KANE: So it's about how old?

MS. ODDO: I've owned the house 12 years.

MR. KANE: Anything on record on that deck?

MR. BABCOCK: No, zero.

MS. ODDO: I don't know how that got by.

MR. KANE: Again, same with the pool deck, the other deck will have to meet any requirements that the building department has to bring it up to code even if you are approved right here.

MS. ODDO: Yes.

MR. REIS: What prompts you to come to the board to get these squared away?

MS. ODDO: I'm selling my home.

MR. KANE: That's all.

MS. ODDO: When do think they'll inspect to see if it's up to code?

MR. KANE: Depending on if it's passed, you'll read the directions for the next step, get in touch with the building department, they'll tell you if it's okay and tell you whatever repairs you have to make.

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: I'll make a recommendation that we grant Angelo Oddo her requested variances for a five foot rear yard setback for existing pool deck, 17-foot side yard setback for existing house deck and seven-foot side yard setback and six-foot rear yard setback for existing shed at 2 Mitchell Lane.

MS. GANN: I'll second the motion.

ROLL CALL

MS. LOCEY	AYE
MS. GANN	AYE
MR. REIS	AYE
MR. BROWN	AYE
MR. KANE	AYE

ANGELA ODDO (05-22)

MR. KANE: Request for 5 ft. rear yard setback for existing pool deck and 17 ft. side yard setback for existing house deck and 7 ft. side yard setback and 6 ft. rear yard setback for existing shed all at 2 Mitchell Lane.

Ms. Angela Oddo appeared before the board for this proposal.

MR. BABCOCK: Just want to clarify that just a little bit, it's 10 foot on each side.

MR. KANE: Ten foot each side.

MR. BABCOCK: Just so the paperwork is right.

MR. KANE: Yeah, it's supposed to be 10 foot on each side. Tell us what you want to do.

MS. ODDO: I'm selling my home now and these things have come up on the title search, they were existing, I just want to state the side deck was existing.

MR. KANE: Existing when you purchased the home?

MS. ODDO: Yes.

MR. KANE: How long have you owned it?

MS. ODDO: Twelve years and the shed also.

MR. KANE: Shed was existing then too?

MS. ODDO: Yes.

MR. KANE: Have you had any complaints about the existing house deck or the shed formally or informally?



MS. ODDO: No.

MR. KANE: It was existing so you have no idea if there was any substantial trees or vegetation cut down or water hazards anything like that?

MS. ODDO: No.

MR. KANE: Are you on town water and sewer?

MS. ODDO: Yes.

MR. KANE: So there are no problems with easements running through the property?

MS. ODDO: No.

MR. KANE: How old is the pool deck?

MS. ODDO: Four years old.

MR. KANE: Any complaints about the pool deck formally or informally?

MS. ODDO: No.

MR. KANE: You realize that if we pass this with the public hearing you still have to meet all the requirements from the building inspector to get the C.O.?

MS. ODDO: Yes.

MR. KANE: Any other questions?

MS. GANN: No.

MS. LOCEY: No.

MR. KANE: I'll accept a motion.

MR. REIS: I'll make a motion that we set up Angela Oddo for a public hearing for requested variances of five foot rear yard setback for existing pool deck, 17 foot side yard setback for existing house deck and 7 foot side yard setback and 6 foot rear yard setback for existing shed at 2 Mitchell Lane.

MS. GANN: Second the motion.

ROLL CALL

MS. GANN	AYE
MS. LOCEY	AYE
MR. MC DONALD	AYE
MR. REIS	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF: May 23, 2005

PROJECT: Angela Oddo ZBA # 05-22  
P.B.#

**P.B.#** \_\_\_\_\_

**USE VARIANCE:**      **NEED: EAF** \_\_\_\_\_ **PROXY** \_\_\_\_\_

**LEAD AGENCY:** M)\_\_\_\_\_S)\_\_\_\_\_ VOTE: A\_\_\_\_\_N\_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**PUBLIC HEARING: M)\_\_\_\_\_ S)\_\_\_\_\_ VOTE: A\_\_\_\_\_ N\_\_\_\_\_**

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

**NEGATIVE DEC:** M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

**APPROVED: M)**\_\_\_\_**S)**\_\_\_\_ **VOTE: A**\_\_\_\_**N**\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

**SCHEDULE PUBLIC HEARING:** M)\_\_\_\_ S)\_\_\_\_ VOTE: A\_\_\_\_ N\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
BROWN \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES  
VARIANCE APPROVED: M<sup>rs</sup> S<sup>6</sup> VOTE: A 5 N 0.

GANN	<u>A</u>	
LOCEY	<u>A</u>	
BROWN	<u>A</u>	
MCDONALD	<u>      </u>	CARRIED: Y <u>✓</u> N <u>      </u>
REIS	<u>A</u>	
KANE	<u>A</u>	

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

**AFFIDAVIT OF MAILING**

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

ANGELA ODDO

**AFFIDAVIT OF  
SERVICE  
BY MAIL**

#05-22

X

STATE OF NEW YORK )

) SS:

COUNTY OF ORANGE )

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 9TH day of MAY, 2005, I compared the (73) addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason  
Myra L. Mason, Secretary

\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

**Appeal No. 05-22**

**Request of ANGELA ODDO**

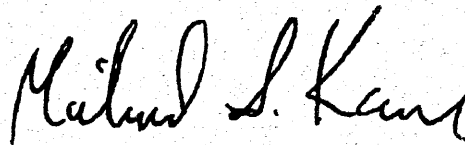
**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for:**

**5 ft. Rear Yard Setback for existing pool deck and;  
17 ft. Side Yard Setback for existing house deck and;  
7 ft. Side Yard Setback and 6 ft. Rear Yard Setback for existing shed;**

**All at 2 Mitchell Lane in an R-4 Zone (6-4-2)**

**PUBLIC HEARING will take place on MAY 23, 2005 at the New Windsor Town Hall,  
555 Union Avenue, New Windsor, New York  
beginning at 7:30 P.M.**



---

**Michael Kane, Chairman**

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**  
**PUBLIC HEARING NOTICE**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 05-21  
Request of ANGELA ODDO  
Request for a VARIANCE of the Zoning Local Law  
to Permit:  
Request for:  
5 ft. Rear Yard Setback for existing pool deck and;  
17 ft. Side Yard Setback for existing house deck and;  
7 ft. Side Yard Setback and 6 ft. Rear Yard Setback for  
existing shed;  
All at 2 Mitchell Lane in an R-4 Zone (6-4-2)

PUBLIC HEARING will take place on MAY 23, 2005  
at the New Windsor Town Hall, 555 Union Avenue, New  
Windsor, New York beginning at 7:30 P.M.

MICHAEL KANE, CHAIRMAN

**Ad Number: 1755284 Advertiser: NEW WINDSOR, TOWN**

Phone: 8455634615 Sys No: 1194114 Caller: MYRA

**INVOICING CUSTOMER:**

Phone: 8455634615 Sys No: 1194114 AcctNo: P.O. No:

Name: NEW WINDSOR, TOWN Subscriber:

Address: ZONING AND PLANNING

555 UNION AVENUE

NEW WINDSOR NY 12553

**ORDER:**

Printed By: THRFDDRI Date: 05/03/2005 Assigned Sales: TOWNOFNEWWINDSOR ZONINGBOARDAPPEALS P AdType: LINER Order Type: NORMAL

Manual Delay: Box No: Call Back: Y

**NOTES:**

Change Reason:

**INSERTION:**

Product: THI Paper: IN Class: 999X

Schedule: Start Date - 05/09/2005 End Date - 05/09/2005

Sort: TOWN OF NEW WINDSOR ZONING BOARD OF APPEA

**PRODUCTION:**

Text Size: 2 x 27.00 ProdType: ENTERPRISE ColorNo: 0 Colors:

Tearsheets: 1 Proofs: 0 Affidavits: 1 Alt Addr: N

**PRICING:**

Price: 49.69 Payment Method: BI Amount Paid: 0 Amount Owed: 49.69

PriceMethod: 0 (0=Normal, 1=User Net, 2=System Gross) Rate Code: LEL

For fields listed below 0 = NO 1 = YES

Till Forbid: 0 Mult. Content: 0

RECEIVED

MAY 12 2005

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-3101

## Assessors Office

April 21, 2005

Angela Oddo  
2 Mitchell Lane  
New Windsor, NY 12553

Re: 6-4-2 ZBA#: 05-22 (73)

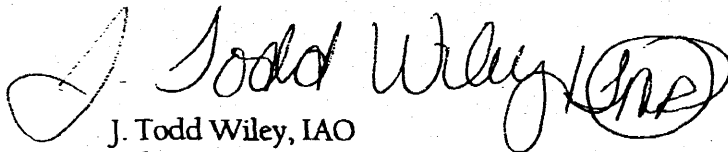
Dear Ms. Oddo:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$95.00, minus your deposit of \$25.00.

Please remit the balance of \$70.00 to the Town Clerk's Office.

Sincerely,

  
J. Todd Wiley, IAO  
Sole Assessor

JTW/tmp  
Attachments

CC: Myra Mason, Zoning Board

4-1-12.2  
Newburgh Water Supply  
City Hall  
Newburgh, NY 12550

6-1-4  
Mark Trevorah  
Kelli Restivo  
12 Clarkview Road  
New Windsor, NY 12553

6-1-7  
Albert & Margaret Lusardi  
18 Clarkview Road  
New Windsor, NY 12553

6-1-10  
Victor Nyborg  
24 Clarkview Road  
New Windsor, NY 12553

6-1-13  
Janette Hyzer  
30 Clarkview Road  
New Windsor, NY 12553

6-2-2  
Paul & Marianne Haarmann  
5 Clarkview Road  
New Windsor, NY 12553

6-2-5  
Craig & Danielle Pelsue  
5 Knox Drive  
New Windsor, NY 12553

6-2-8  
Carlos Hidalgo  
Briselda Lara  
11 Knox Drive  
New Windsor, NY 12553

6-3-3  
Richard & Suzanne Campora  
4 Knox Drive  
New Windsor, NY 12553

6-3-6  
William & Evelyn Rothenbusch  
10 Knox Drive  
New Windsor, NY 12553

6-1-1.3  
Regina Csubak  
8 Clarkview Road  
New Windsor, NY 12553

6-1-5  
Gina Shibah  
14 Clarkview Road  
New Windsor, NY 12553

6-1-8  
Willard & Mary Jaime  
20 Clarkview Road  
New Windsor, NY 12553

6-1-11  
John & Ellen Walsh  
26 Clarkview Road  
New Windsor, NY 12553

6-1-14  
Larry Sweney  
32 Clarkview Road  
New Windsor, NY 12553

6-2-3  
Richard & Lori Passaro  
1 Knox Drive  
New Windsor, NY 12553

6-2-6  
Feguens & Darline Germain  
7 Knox Drive  
New Windsor, NY 12553

6-3-1  
Thomas & Kristen Koziak  
13 Clarkview Road  
New Windsor, NY 12553

6-3-4  
Vincent Russio  
Angela Bulson  
6 Knox Drive  
New Windsor, NY 12553

6-3-7  
David Dolti  
Amanda Stanaway  
12 Knox Drive  
New Windsor, NY 12553

6-1-3  
Hector & Karen Ann Delgado  
10 Clarkview Road  
New Windsor, NY 12553

6-1-6  
Kenneth & Elizabeth Strongreen  
16 Clarkview Road  
New Windsor, NY 12553

6-1-9  
James & Frances Lego  
22 Clarkview Road  
New Windsor, NY 12553

6-1-12  
Benny & Nancy Almodovar  
28 Clarkview Road  
New Windsor, NY 12553

6-2-1  
Debra Russio  
9 Clarkview Road  
New Windsor, NY 12553

6-2-4  
Todd Doupona  
3 Knox Drive  
New Windsor, NY 12553

6-2-7  
Allan & Carol Saltzberg  
9 Knox Drive  
New Windsor, NY 12553

6-3-2  
Arnold & Beverly Messer  
2 Knox Drive  
New Windsor, NY 12553

6-3-5  
Sean Michael Cross  
Amanda Beth Gotz  
8 Knox Drive  
New Windsor, NY 12553

6-3-8  
Regina Rountree  
14 Knox Drive  
New Windsor, NY 12553



6-3-9

Donald & Bessie Harris  
20 Knox Drive  
New Windsor, NY 12553

6-3-12

Charles Shanahan, Jr.  
7408 Henry Avenue  
Philadelphia, PA 19128

6-3-15

Joseph Armisto  
Nina Cargain  
1 Mitchell Lane  
New Windsor, NY 12553

6-4-1

Ismail & Cemaliye Nouri  
19 Clarkview Road  
New Windsor, NY 12553

6-4-5

Steven & Jane Albano  
8 Mitchell Lane  
New Windsor, NY 12553

6-4-8

Ingrid Guerrero  
24 Knox Drive  
New Windsor, NY 12553

6-4-11

Donna Verdiglione  
34 Knox Drive  
New Windsor, NY 12553

6-4-14

James & Frances O'Neil  
40 Knox Drive  
New Windsor, NY 12553

6-4-17 & 6-5-27

Jeremiah & Patricia Quill  
23 Clarkview Road  
New Windsor, NY 12553

6-5-25

Paul Thomas Nergelovic  
35 Knox Drive  
New Windsor, NY 12553

6-3-10

William & Dorothea Brown  
11 Mitchell Lane  
New Windsor, NY 12553

6-3-13

Anthony Dirago, Jr.  
5 Mitchell Lane  
New Windsor, NY 12553

6-3-16

Robert Schulze  
17 Clarkview Drive  
New Windsor, NY 12553

6-4-3

Timothy & Debra Gilchrist  
4 Mitchell Lane  
New Windsor, NY 12553

6-4-6

John & Kathleen Hannon  
10 Mitchell Lane  
New Windsor, NY 12553

6-4-9

Robert Wilson  
28 Knox Drive  
New Windsor, NY 12553

6-4-12

Doreen & Michael Casey  
36 Knox Drive  
New Windsor, NY 12553

6-4-15

Matthew & Corinne Lynch  
42 Knox Drive  
New Windsor, NY 12553

6-4-18

Nea Sum Chin  
21 Clarkview Road  
New Windsor, NY 12553

6-5-26

Christine Smith  
37 Knox Drive  
New Windsor, NY 12553

6-3-11

Lazaro Suarez Willamil  
9 Mitchell Lane  
New Windsor, NY 12553

6-3-14

Peter Reilly, Sr. et. al.  
c/o Alice Reilly  
3 Mitchell Lane  
New Windsor, NY 12553

6-3-17

Kathleen & Dirk DeMar  
15 Clarkview Road  
New Windsor, NY 12553

6-4-4

Rebecca Flores  
6 Mitchell Lane  
New Windsor, NY 12553

6-4-7

John Fisher  
Luz Camilo-Fisher (UX)  
12 Mitchell Lane  
New Windsor, NY 12553

6-4-10

Richard & Anna Kenna  
32 Knox Drive  
New Windsor, NY 12553

6-4-13

Christopher & Allison Jacopino  
38 Knox Drive  
New Windsor, NY 12553

6-4-16

Robin Piekarz  
Curtis Worden  
44 Knox Drive  
New Windsor, NY 12553

6-5-24

Shirley Hassdenteufel  
33 Knox Drive  
New Windsor, NY 12553

6-5-28

Richard & Donna Dotson  
41 Knox Drive  
New Windsor, NY 12553

6-5-30  
Cheryl Grainger  
45 Knox Drive  
New Windsor, NY 12553

6-5-33  
Herman & Marie Walker  
Bruce Walker  
27 Clarkview Road  
New Windsor, NY 12553

6-5-36  
John & Grace Schultz  
3 President Court  
New Windsor, NY 12553

6-5-39  
Christopher & Jennifer Hemingway  
9 President Court  
New Windsor, NY 12553

6-5-31  
Thomas & Nancy Bailey  
Michele Lawrenson  
47 Knox Drive  
New Windsor, NY 12553

6-5-34  
Diane Maskiell  
Douglas Brown, Jr.  
29 Clarkview Road  
New Windsor, NY 12553

6-5-37  
Kenneth & Maria Maldonado  
5 President Court  
New Windsor, NY 12553

6-5-40  
Julio Lebron  
Dolly Vega  
31 Clarkview Road  
New Windsor, NY 12553

6-5-29  
Harold & Adelaide Willis  
43 Knox Drive  
New Windsor, NY 12553

6-5-32  
Nancy Sharp  
25 Clarkview Road  
New Windsor, NY 12553

6-5-35  
Vincent & Mary Ellen Devito  
1 President Court  
New Windsor, NY 12553

6-5-38  
George & Helen Mehlig  
7 President Court  
New Windsor, NY 12553

6-5-50 & 51  
John & Maryanne Kochan  
P.O. Box 4627  
New Windsor, NY 12553

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#344-2005**

04/19/2005

Oddo, Angela

Received \$ 50.00 for Zoning Board Fees, on 04/19/2005. Thank you for  
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

ZBA # 06-22 application fee

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 04-18-2005

FOR: ESCROW 05-22

FROM:

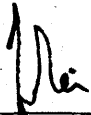
**Angela Oddo**  
**2 Mitchell Lane**  
**New Windsor, NY 12553**

CHECK NUMBER: 1685

TELEPHONE: 565-8664

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

	<u>4/19/05</u>
NAME	DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



RESULTS OF Z.B.A. MEETING OF: April 2 2005

PROJECT: Angela Oddo ZBA # 05-22  
P.B.# \_\_\_\_\_

**P.B.#** \_\_\_\_\_

USE VARIANCE:      NEED: EAF \_\_\_\_\_ PROXY \_\_\_\_\_

**LEAD AGENCY:** M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**PUBLIC HEARING: M)**\_\_\_\_\_ **S)**\_\_\_\_\_ **VOTE: A**\_\_\_\_ **N**\_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

**NEGATIVE DEC:** M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

APPROVED: M)\_\_\_\_S)\_\_\_\_ VOTE: A\_\_\_\_N\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
RIVERA \_\_\_\_\_  
MCDONALD \_\_\_\_\_ CARRIED: Y\_\_\_\_\_N\_\_\_\_\_  
REIS \_\_\_\_\_  
KANE \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

**SCHEDULE PUBLIC HEARING:** M) LS S) G VOTE: A 5 N 0

GANN	A
LOCEY	A
<del>ROBERTA</del>	
MCDONALD	A
REIS	A
KANE	A

CARRIED: Y ✓ N       

**PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES**

**VARIANCE APPROVED:** M)\_\_\_ S)\_\_\_ VOTE: A\_\_\_ N\_\_\_.

**GANN**  
**LOCEY**  
**RIVERA**  
**MC DONALD**  
**REIS**  
**KANE**

**CARRIED: Y\_\_\_\_\_N\_\_\_\_\_.**

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689

## ZONING BOARD OF APPEALS

April 29, 2005

Angela Oddo  
2 Mitchell Lane  
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #05-22

Dear Ms. Oddo:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Times Herald Record Newspaper for publication. **PLEASE NOTE: The charge for publication in the Times Herald Record will be deducted from your escrow that was posted with your application papers.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

2 Mitchell Lane  
New Windsor, NY

is scheduled for the May 23, 2005 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm



# **Town of New Windsor**

**555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695**

## **ZONING BOARD OF APPEALS**

April 18, 2005

Angela Oddo  
2 Mitchell Lane  
New Windsor, NY 12553

**SUBJECT: REQUEST FOR VARIANCE #05-22**

Dear Ms. Oddo:

This letter is to inform you that you have been placed on the April 25<sup>th</sup>, 2005 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

2 Mitchell Lane  
New Windsor, NY 12553

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm

# TOWN OF NEW WINDSOR

## REQUEST FOR NOTIFICATION LIST

DATE: 04-18-2005 PROJECT NUMBER: ZBA# 05-22 P.B. # \_\_\_\_\_

APPLICANT NAME: ANGELA ODDO

PERSON TO NOTIFY TO PICK UP LIST:

Angela Oddo  
2 Mitchell Lane  
New Windsor, NY 12553

TELEPHONE: 565-8664

TAX MAP NUMBER:	SEC. <u>6</u>	BLOCK <u>4</u>	LOT <u>2</u>
	SEC. _____	BLOCK _____	LOT _____
	SEC. _____	B LOCK _____	LOT _____

PROPERTY LOCATION: 2 MITCHELL LANE  
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: \_\_\_\_\_

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) \_\_\_\_\_

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) \_\_\_\_\_

AGRICULTURAL DISTRICT:  
 (ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'  
 OF SITE PLAN OR SUBDIVISION PROJECT) \_\_\_\_\_

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 1686

TOTAL CHARGES: \_\_\_\_\_





**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



**APPLICATION FOR VARIANCE**

\_\_\_\_\_ Application Type: Use Variance ☐ Area Variance ☒  
Date Sign Variance ☐ Interpretation ☐

**I. Owner Information:**

Owner: ANGELA ODDO Phone Number: (845) 565-8664  
(Name) Fax Number: ( )  
2 MITCHELL LANE NEW WINDSOR NY 12553  
(Address)

**II. Applicant:**

Applicant: ANGELA ODDO Phone Number: (845) 565-8664  
(Name) Fax Number: ( )  
2 MITCHELL LANE  
(Address)

**III. Forwarding Address, if any, for return of escrow:**

S/A Phone Number: ( )  
(Name) Fax Number: ( )  
S/A  
(Address)

**IV. Contractor/Engineer/Architect/Surveyor/:**

Phone Number ( )  
Fax Number ( )  
\_\_\_\_\_  
(Name)  
\_\_\_\_\_  
(Address)

**V. Property Information:**

Zone: R-4 Property Address in Question: 2 MITCHELL LANE  
Lot Size: \_\_\_\_\_ Tax Map Number: Section 6 Block 4 Lot 2  
a. What other zones lie within 500 feet? \_\_\_\_\_  
b. Is pending sale or lease subject to ZBA approval of this Application? YES  
c. When was property purchased by present owner? 1993  
d. Has property been subdivided previously? NO If so, When: \_\_\_\_\_  
e. Has an Order to Remedy Violation been issued against the property by the  
Building/Zoning/Fire Inspector? YES  
f. Is there any outside storage at the property now or is any proposed? NO

\*\*\*\*PLEASE NOTE:\*\*\*\*\*

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF  
SUBMITTAL.**

**COMPLETE THIS PAGE**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

*When we purchased this house the side house deck & shed were existing. I just found out that they did not have a C/O until a recent title search was done and I was made aware of these violations. As for our pool deck, it was also brought to my attention through the title search. My husband, Anthony Oddo, who is now deceased, handled all of these issues and I assumed this was already taken care of. I have since remarried and am now selling my home. I do not believe that any of the violations are a detriment to health, safety, or welfare of the neighborhood or community.*

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- \_\_\_\_\_
- \_\_\_\_\_

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☒ Copy of ~~the~~ **plan or survey (if available)** showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☒ One in the amount of \$ 500.00 or 500.00 (escrow)
- ☒ One in the amount of \$ 150.00 or 150.00 (application fee)
- ☒ One in the amount of \$ 500.00 (Public Hearing List Deposit)
- ☒ Photographs of existing premises from several angles. **(IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)**

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

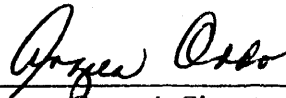
) SS.:

COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

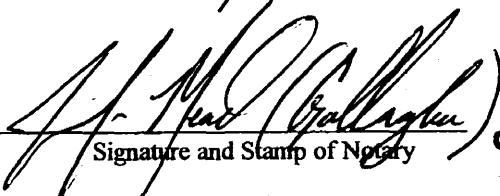
Sworn to before me this:

18<sup>th</sup> day of April 2005,



Owner's Signature (Notarized)

ANGELA ODDO



Signature and Stamp of Notary

JENNIFER MEADOR, Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/2006

Applicant's Signature (If not Owner)

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**COMPLETE THIS PAGE**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE:** [REDACTED]

Area Variance requested from New Windsor Zoning Local Law,

SHED

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.	10'	3'	7'
Reqd. Rear Yd.	10'	4'	6'
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE:** [REDACTED]

Area Variance requested from New Windsor Zoning Local Law,

SIDE HOUSE DECK

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.	20'	3'	17'
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

~~POOL~~  
**POOL DECK**

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.	10'	5'	5'
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)



## ZONING BOARD PROCEDURES

**PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO  
IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.**

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

**RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE:

\$ 50.00

\*ESCROW:

\$ 500.00

\*\*DEPOSIT FOR PUBLIC HEARING LIST:

\$ 25.00

**MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE:

\$150.00

\*ESCROW:

\$500.00

\*\*DEPOSIT FOR PUBLIC HEARING LIST:

\$ 25.00

**COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE:

\$150.00

\*ESCROW:

\$500.00

\*\*DEPOSIT FOR PUBLIC HEARING LIST:

\$ 25.00

**INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE:

\$150.00

\*ESCROW:

\$500.00

\*\*DEPOSIT FOR PUBLIC HEARING LIST:

\$ 25.00

**YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".**

**ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

**\*\***

LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

APPROXIMATE COST FOR  
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME